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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/368,259	08/03/1999	NAOTAKA KATO	JA9-98-122	5329

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EXAMINER

WOO, ISAAC M

ART UNIT

PAPER NUMBER

2172

DATE MAILED: 11/01/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/368,259

Applicant(s)

KATO ET AL.

Examiner

Isaac M Woo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to Applicant's Request for Reconsideration, filed on October 14, 2002 have been fully considered but are deemed moot in view of new ground of rejections below.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-5 and 7-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Shin et al (U.S. Patent No. 6,321,340, hereinafter, "Shin").

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In considering claims 1, 8 and 10, Shin discloses the connection unit (200, FIG.1, FIG.2; col. 3, lines 44-52) for use with a computer (100, FIG.1, col. 3, lines 33-43) and connectable to a network (216, 316, FIG.1; col. 3, lines 61-64 and col. 2, lines 14-18), the connection unit comprising:

means, responsive to receipt of a predetermined wake-up packet via the network, for generating a predetermined signal, see (col. 5, lines 41-47 and col. 7, lines 24-28); and

means, responsive to the predetermined signal, for persistently displaying (222, FIG.1, FIG. 2 and FIG. 3) the receipt of the predetermined wake-up packet utilizing a dedicated display, see (col. 5, lines 4-10 and col. 3, line 67 to col. 4, lines 1-3).

In considering claims 2 and 3, Shin discloses that the computer is not connected to connection unit and means, responsive to the receipt of the predetermined wake-up packet, for displaying the non-connection of the computer, see (col. 5, lines 4-19 and col. 3, line 67 to col. 4, lines 1-3).

In considering claim 4, Shin discloses that the predetermined wake-up packet includes an instruction for causing a power supply of the computer to be remotely turned on, see (col. 5, lines 41-47; col. 7, lines 24-28 and col. 4, lines 21-29).

In considering claim 5, Shin discloses that the network is a local area network (LAN), see (216, 316, FIG. 1; col. 3, lines 61-64; col. 6, lines 22-29 and col. 2, lines 14-18).

In considering claim 7, Shin discloses the connection unit comprising means for resetting the means for persistently displaying the receipt of the predetermined wake-up packet, see (252, FIG. 3, and col. 4, lines 51-61).

In considering claim 9, Shin discloses that the terminal apparatus is a portable computer, see (200, FIG. 1 and col. 3, lines 23-26).

In considering claim 11, Shin discloses that a computer system having a computer that changes from a power-save mode or a power-off stat to a normal operation mode due to a plurality of factors (wake-up signal, col. 4, lines 28-29 and col. 5, lines 44-47), the computer system comprising:

means for generating a signal indicating occurrence of a predetermined factor among the plurality of factors, see (ring indicator signal (RI), wake-up signal (RWU), FIG. 3, col. 4, lines 21-29);

means, responsive to the signal indicating the occurrence of the predetermined factor, for persistently displaying the generation of the signal, see (222, FIG. 1, FIG. 2; col. 3, line 67 to col. 4, lines 1-3 and col. 5, lines 4-19);

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means for stopping displaying of the displaying means, see (col. 4, lines 1-4);
and

means, responsive to a predetermined condition, for resetting the displaying
means, see (col. 4, lines 51-61).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shin et al (U.S. Patent No. 6,321,340, hereinafter, "Shin") in view of Overy et al (U.S. Patent No. 6,122,530, hereinafter, "Overy").

With respect to claim 6, Shin discloses displaying means (FIG. 1, and col. 3, lines 34-67 to col. 4, lines 1-12). Shin does not disclose that the displaying means comprises a liquid crystal display (LCD). However, Over discloses that the displaying means comprises a liquid crystal display (LCD), see (FIG. 2, FIG. 3, col. 2, lines 62-63, col. 3, lines 10-67 to col. 4, lines 1-67). Therefore, it would have been obvious a person having ordinary skill in the art to include the means of the liquid crystal display (LCD) of Overy

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into the means of Shin to display the status. The liquid crystal display (LCD) is an electro-optical device used to display digits, characters or images, commonly used in digital watches, calculators, and portable computers. LCDs are slimmer, lighter and consume less power than the previous dominant display type, the cathode ray tube, hence their importance for portable computers. Thus, it would be beneficial to use LCD to display digitized information and save the power.

Response to Arguments

The applicant's arguments (filed on 10/14/2002) are not persuasive for claim 1.

Applicant contends that Shin provides an LED displays (not persistently) only in response to receipt of any frame reception, not of predetermined wake-up packet for claim 1. However, Shin discloses that LAN wake-up circuit adapted to generate a LAN wake up signal LWU# in response to a magic packet signal (col. 5, lines 41-47 and claim 8) which discloses the wake-up packet reception. And "displaying persistently" is inherent, because the system of Shin is for connecting portable network device into network using wake-up call, thus, when the system receives wake-up call, displaying mode displays until the portable network device is up. Thus, it is inherent that the system of Shin comprises the persistently displaying the receipt of predetermined wake-up packet.

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Applicant's arguments for Claim 6 are deemed moot in view of new ground of rejections.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

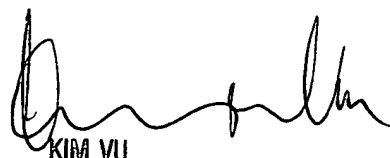
Schmidt et al (U.S. Patent No. 6,101,608) discloses the system for controlling remote computer from sleep mode to wake-up mode.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (703) 305-0081. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703) 305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 308-6606 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

IMW
October 29, 2002


KIM VU
SUPERVISORY PATENT EXAMINER
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